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AND RELATED LITIGATION

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EDWARD B. EVANS 1938-1971

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November 19, 2004

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To: Commissioner for Patents  
Attn: Examiner McKenzie, Ph.D.

From: Beverly A. Lyman, Ph.D.

Fax: 703 872 9306

Re: Our File: MRD-63  
Serial No. 09/898,809

Pages: 2 (including cover sheet)

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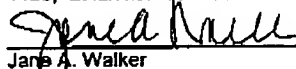
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Request for Continued Examination -1 pg.

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**Request  
for  
Continued Examination (RCE)  
Transmittal**Address to:  
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Application Number	09/898,809
Filing Date	07/03/01
First Named Inventor	Rajagopalan
Art Unit	1824
Examiner Name	McKenzie
Attorney Docket Number	MRD-83

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☒ Other Consider the Declaration of Raghavan Rajagopalan, which was filed with the Amendment on August 20, 2004

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 23-3000. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) (\$980.00)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (3 month extension - \$980.00)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>Beverly A. Lyman</i>	Date	November 19, 2004
Name (Print/Type)	Beverly A. Lyman, Ph.D.	Registration No.	41,961

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Name (Print/Type)	Jane A. Walker		

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